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 20 THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

21 UNITED STATES DISTRICT COURT  
 22 NORTHERN DISTRICT OF CALIFORNIA  
 23 SAN JOSE DIVISION

24 THE REGENTS OF THE UNIVERSITY OF  
 25 CALIFORNIA,

26 Plaintiff,

27 v.

28 MICRO THERAPEUTICS, INC., a Delaware  
 29 corporation, DENDRON GmbH, a German  
 30 corporation, and ev3 INC., a Delaware  
 31 corporation,

32 Defendants,

33 MICRO THERAPEUTICS, INC., a Delaware  
 34 corporation, and DENDRON GmbH, a German  
 35 corporation,

36 Third Party Plaintiffs,

37 v.

38 BOSTON SCIENTIFIC CORPORATION,  
 39 a Delaware corporation, and TARGET  
 40 THERAPEUTICS, INC., a Delaware corporation,

41 Third Party Defendants

42 Case No. C 03 05669 JW (RS)

43 **JOINT STIPULATION AND [PROPOSED]  
 44 ORDER TO MOVE TECHNICAL  
 45 EXPERT REBUTTAL AND REPLY  
 46 DEADLINES**

47 **[CIV. L. R. 6-2, 7-12]**

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff and Counterdefendant The Regents of  
2 the University of California (“The Regents”), Defendants and Third Party Plaintiffs Micro  
3 Therapeutics, Inc., Dendron GmbH and ev3 Inc. (collectively “MTI”), and Third Party Defendants  
4 Boston Scientific Corporation and Target Therapeutics, Inc. (collectively “Boston Scientific”)  
5 hereby stipulate and jointly request the following modification to expert deadlines.

6 The proposed schedule advances by one day the deadline for rebuttal and reply reports by  
7 the parties’ technical experts, specifically Dr. Gary Nesbit, M.D., for The Regents, and Mr. Mark  
8 Ritchart, on behalf of MTI. All other expert deadlines, including the deadline to complete expert  
9 discovery, remain in place. The reason for the one day extension was to accommodate a  
10 scheduling conflict with The Regents’ technical expert. *See* accompanying Declaration of Patrick  
11 Premo filed in support of this stipulation (“Premo Decl.”) ¶ 2. The Regents has already served Dr.  
12 Nesbit’s rebuttal report on June 12, 2007. The parties have agreed that Mr. Ritchart’s reply report  
13 can be served on **June 26, 2007**, rather than the original date of June 25, 2007, to ensure that MTI  
14 has the full two-week period to respond. (*Id.*)

15 The Court and parties have made limited adjustments to fact and expert discovery in  
16 stipulations or orders filed on June 27, 2006 (Dkt. 344), January 12, 2007 (Dkt. 385), March 29,  
17 2007 (Dkt. 532), May 1, 2007 (Dkt. 622), and May 10, 2007 (Dkt. 636). The proposed  
18 modification will not impact hearing dates for scheduled motions for summary judgment, will not  
19 alter any other expert or pretrial deadlines, and will not move the trial date, which is currently set  
20 for October 16, 2007. (Premo Decl. ¶ 3.)

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1 Dated: June 14, 2007

By: /s/ Patrick E. Premo

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3 Charlene M. Morrow (SBN 136411)  
4 Patrick E. Premo (SBN 184915)  
5 FENWICK & WEST LLP  
6 Attorneys for Plaintiff/Counterdefendant  
7 THE REGENTS OF THE UNIVERSITY OF  
8 CALIFORNIA

9 Dated: June 14, 2007

10 By: /s/ Michelle Umberger

11 John S. Skilton (*Pro Hac Vice*)  
12 Michelle M. Umberger (*Pro Hac Vice*)  
13 HELLER EHRMAN LLP  
14 Attorneys for Defendants/Counterclaimants  
15 MICRO THERAPEUTICS, INC. and DENDRON GMBH

16 Dated: June 14, 2007

17 By: /s/ Patrick Thompson

18 Patrick Thompson (SBN 160804)  
19 Roland H. Schwilinski (*Pro Hac Vice*)  
20 GOODWIN PROCTER LLP  
21 Attorneys for Third Party Defendants  
22 BOSTON SCIENTIFIC and TARGET THERAPEUTICS,  
23 INC.

24 **ORDER**

25 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26 Dated: June 19, 2007

27   
28 The Honorable James Ware  
1268586  
United States District Judge

1268586